

REMARKS

The last Office Action has been carefully considered.

Claims 1-16 and 19-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dürr et al. (U.S. Pat. No. 5,644,846).

Claims 1-16 and 19-27 are pending in the application, with Claims 21-27 being new, and Claims 1, 13-14, and 21 being independent claims.

Claims 1, 13 and 14 are amended. No new subject matter is presented.

Regarding the rejection of Claim 1 under 35 U.S.C. § 103(a), the Examiner states that Dürr et al. renders the claim obvious. Dürr et al. discloses an eccentric transmission comprising an imbalance compensation element 13 (Abstract; col. 3 lines 22-24; Fig. 1); an eccentric element 9 (col. 3 lines 18-21; Fig. 1); an armature shaft 11 (Fig. 1); an oscillating link 9 (Fig. 1); and a drive shaft 5 (Fig. 1). However, Dürr et al. lacks at least the following limitations of Amended Claim 1.

First, the eccentric element 9 of Dürr et al. is driven by and in a gear engagement with the armature shaft 11 (col. 3 lines 18-21; Fig. 1), and is not fixedly mounted on the armature shaft 11. By contrast, the eccentric element (12a - 12e) of the present invention is rotatably and fixedly mounted on the armature shaft (14a – 14e) (specification page 5 lines 8-11; Figs. 1-2). Dürr et al.

fails to disclose the limitation of *the eccentric element is rotatably and fixedly mounted on the armature shaft* taught by Amended Claim 1.

Second, the eccentric element 9 of Dürr et al. converts the rotation of the armature shaft 11 into an up and down motion, i.e. a translation (col. 3 lines 55-59; Fig. 1). By contrast, the eccentric element (12a - 12e) of the present invention converts the rotation of the armature shaft (14a – 14e) into an oscillating rotary motion (specification page 5 lines 7-11).

To convert the revolving rotary motion of the armature shaft (14a – 14e) of the present invention into an oscillating rotary motion of the drive shaft (16a – 16e), the rotational motion in a first plane has to be heterodyned with a pivoting motion in a second plane perpendicular to the first plane. Therefore, the eccentric element (12a – 12e) has to be configured so that it can carry forces occurring in the first plane (a plane perpendicular to the rotation axis (24a – 24e) of the armature shaft (14a – 14e)) and in the second plane (a plane through the rotation axis (24a – 24e)). By contrast, the eccentric element 9 of Dürr et al. only has to carry forces in one plane which is perpendicular to a rotation axis of the armature shaft 11.

Dürr et al. further fails to disclose the limitation of *the eccentric element converts a revolving rotary motion of the armature shaft into an oscillating rotary motion* taught by Amended Claim 1.

Third, the eccentric element 9 of Dürr et al. has no recess to receive the armature shaft 11. By contrast, the eccentric element (12a - 12e) of the present invention has an armature recess to receive the armature shaft (14a – 14e) (specification page 5 lines 13-14; Fig. 1). Dürr et al. furthermore fails to disclose the limitation of *the eccentric element has an armature recess receiving the armature shaft* taught by Amended Claim 1.

Fourth, the imbalance compensation element 13 of Dürr et al. is a part distinct and separate from the eccentric element 9 (Fig. 1). Dürr et al. also fails to disclose the limitation of *the imbalance compensation element is a one-piece part of an additional functional unit* taught by Amended Claim 1.

Clearly, Amended Claim 1 structurally differs from Dürr et al.

Regarding the rejection of Claim 13 under 35 U.S.C. § 103(a), the above rationale for Amended Claim 1 also similarly applies to Amended Claim 13 with respect to Dürr et al.

Regarding the rejection of Claim 14 under 35 U.S.C. § 103(a), the above rationale for Amended Claim 1 also similarly applies to Amended Claim 14 with respect to Dürr et al.

Regarding new independent Claim 21, no known art anticipates the claim, or renders the claim obvious.

In view of the preceding amendments and remarks, it is respectfully submitted that all of the pending claims, namely, Claims 1-16 and 19-27, are in condition for allowance.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance; he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,



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